

LAWRENCE A. ORGAN (SBN 175503)  
larry@civilrightsca.com  
NAVRUZ AVLONI (SBN 279556)  
navruz@civilrightsca.com  
CIMONE A. NUNLEY (SBN 326915)  
cimone@civilrightsca.com  
**CALIFORNIA CIVIL RIGHTS LAW GROUP**  
332 San Anselmo Avenue  
San Anselmo, California 94960  
Telephone: (415) 453-7352  
Facsimile: (415) 785-7352

J. BERNARD ALEXANDER (SBN 128307)  
balexander@amflp.com  
**ALEXANDER MORRISON + FEHR LLP**  
1900 Avenue of the Stars, Suite 900  
Los Angeles, California 90067  
Telephone: (310) 394-0888  
Facsimile: (310) 394-0811

Attorneys for Plaintiffs,  
DEMETRIC DI-AZ and OWEN DIAZ

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

DEMETRIC DI-AZ, OWEN DIAZ, and  
LAMAR PATTERSON,

Plaintiffs,

v.

TESLA, INC. dba TESLA MOTORS, INC.;  
CITISTAFF SOLUTIONS, INC.; WEST  
VALLEY STAFFING GROUP;  
CHARTWELL STAFFING SERVICES, INC.;  
and DOES 1-50, inclusive,

Defendants.

Case No. 3:17-cv-06748-WHO

**PLAINTIFFS' OBJECTIONS TO  
DEFENDANT'S DESIGNATIONS OF  
DEMETRIC DI-AZ'S DEPOSITION  
TESTIMONY**

Trial Date: September 27, 2021  
Complaint filed: October 16, 2017

To facilitate the Court's ruling on Defendant's designations of Demetric Di-az's  
deposition testimony, Plaintiff respectfully submits the following chart identifying the testimony  
Defendant designated and Plaintiff's objections:

#	Lines	Deposition Excerpt	Objection/Counterdesignation
1.	10:4-22	<p><b>10:4</b> Q. Could you please state your full name for the</p> <p><b>5</b> record.</p> <p><b>6</b> A. Demetric Jean Di-az.</p> <p><b>7</b> Q. Did you say Jean?</p> <p><b>8</b> A. Yes. That's my middle name.</p> <p><b>9</b> Q. Okay. And how do you spell your last name?</p> <p><b>10</b> A. D-I hyphen A-Z.</p> <p><b>11</b> Q. And is your father's name Owen Diaz?</p> <p><b>12</b> A. Yes.</p> <p><b>13</b> Q. And he spells his name with a D-I-A-Z without a</p> <p><b>14</b> hyphen; right?</p> <p><b>15</b> A. Yes.</p> <p><b>16</b> Q. And why do you spell your name with a hyphen?</p> <p><b>17</b> A. As a kid it was given to me like that through</p> <p><b>18</b> birth. I really don't know why it was like that.</p> <p><b>19</b> Q. You don't have an understanding of why your last</p> <p><b>20</b> name is spelled with a hyphen?</p> <p><b>21</b> A. I was told that was the original spelling. That</p> <p><b>22</b> was it.</p>	
2.	31:20-22	<p><b>31:20</b> Q. How would you describe your relationship with</p> <p><b>21</b> your father?</p> <p><b>22</b> A. My relationship with my father was good.</p>	
3.	33:2-9	<p><b>33:2</b> Q. Do you know Lamar Patterson?</p> <p><b>3</b> A. No.</p> <p><b>4</b> Q. You've never met him before?</p> <p><b>5</b> A. If I have, I don't remember.</p> <p><b>6</b> Q. Do you know Dewitt Lambert?</p> <p><b>7</b> A. No.</p> <p><b>8</b> Q. You never met him before?</p> <p><b>9</b> A. No.</p>	Objection: relevance
4.	40:14-16	<p><b>40:14</b> Q. So you received a high school diploma from</p> <p><b>15</b> Pittsburg's adult school in June of 2014?</p>	

1		<b>16 A. Yes.</b>	
2	5. 47:20-	<b>47:20 Q.</b> Did you apply for a position with Tesla as an	Objection: relevance
3	48:23	<b>21</b> associate product excellence engineer power train on	
4		<b>22</b> October 26th, 2015?	
5		<b>23 A.</b> Not that I can recall.	
6		<b>24 Q.</b> I'm turning -- Exhibit 9 is, again, a printout	
7		<b>25</b> from Tesla's application system, which is Bates-stamped	
8		<b>48:1</b> at the bottom 146 to 152.	
9		<b>2</b> Do you see there at the top where it says	
10		<b>3</b> "Associate product excellence engineer power train," at	
11		<b>4</b> the top of 146?	
12		<b>5 A.</b> Yes.	
13		<b>6 Q.</b> And do you see there on the right it says "date	
14		<b>7</b> applied 10/26/2015"?	
15		<b>8 A.</b> Yes.	
16		<b>9 Q.</b> And is that your name at the top, Demetric G.	
17		<b>10</b> Di-az?	
18		<b>11 A.</b> Yes.	
19		<b>12 Q.</b> Does this refresh your recollection as to	
20		<b>13</b> whether or not you applied for a job as an associate	
21		<b>14</b> product excellence engineer with power train in October	
22		<b>15</b> of 2015?	
23		<b>16 A.</b> No, it doesn't.	
24		<b>17 Q.</b> Do you have any reason to believe that Tesla's	
25		<b>18</b> applicant records are inaccurate?	
26		<b>19 A.</b> I don't remember ever doing this application.	
27		<b>20</b> Somebody could have did it for me. I don't remember.	
28		<b>21 Q.</b> Do you remember ever applying for a position at	
		<b>22</b> Tesla at any time in October 2015?	
		<b>23 A.</b> No.	
	6. 49:9-25	<b>49:9 Q.</b> And do you see that the date applied is	Objection: relevance

		<p><b>10</b> 10/26/2015?</p> <p><b>11</b> A. Yes.</p> <p><b>12</b> Q. Did you apply for a position with Tesla as a</p> <p><b>13</b> production associate assembly line on October 26th,</p> <p><b>14</b> 2015?</p> <p><b>15</b> A. I don't remember.</p> <p><b>16</b> Q. You don't remember?</p> <p><b>17</b> A. Yes.</p> <p><b>18</b> Q. But it's possible you did?</p> <p><b>19</b> A. I said before I don't remember. Somebody could</p> <p><b>20</b> have did it for me. I don't remember applying.</p> <p><b>21</b> Q. Do you have any reason to believe that Tesla's</p> <p><b>22</b> candidate records regarding your application as</p> <p><b>23</b> production associate assembly line are inaccurate?</p> <p><b>24</b> MR. ORGAN: Objection. Vague and ambiguous.</p> <p><b>25</b> THE WITNESS: I don't know.</p>	
7.	107:9-19	<p><b>107:9</b> Q. Okay. Turning your attention to the e-mail in</p> <p><b>10</b> the middle of the page on 185 from Jimmy Ramirez to Juan</p> <p><b>11</b> Martinez, it says "Demetric Di-az will be going to</p> <p><b>12</b> nights. He will report to battery enclosure 2.0 at 5:25</p> <p><b>13</b> p.m."</p> <p><b>14</b> Does that refresh your memory that -- and that</p> <p><b>15</b> e-mail is dated Saturday, September 5th, 10:44 a.m.</p> <p><b>16</b> Does that refresh your memory that September 5th, 2015,</p> <p><b>17</b> is when -- is around the time that you transitioned from</p> <p><b>18</b> the day shift to the night shift?</p> <p><b>19</b> A. Yes.</p>	
8.	109:2-3	<p><b>109:2</b> Q. How many days a week did you work?</p> <p><b>3</b> A. Five.</p>	
9.	109:22-	<p><b>109:22</b> Q. Okay. Did anybody ever communicate with you</p>	Objection: relevance

1	110:3	<b>23</b> about pulling up your pants when you were at Tesla? <b>24</b> A. One day I forgot my belt. They asked me to pull <b>25</b> up my pants. I pulled it up and told them it wouldn't <b>110:1</b> happen again, and that's all. <b>2</b> Q. And who spoke to you about that? <b>3</b> A. I can't recall.	
7	10. 110:21- 111:1	<b>110:21</b> Q. Did anyone at Tesla ever communicate with you <b>22</b> about not wearing your safety glasses during production? <b>23</b> A. I'm a human being. I could have forgotten. <b>24</b> They could have said, say, "Hey, put on your safety <b>25</b> glasses." I would have adjusted my behavior <b>111:1</b> immediately.	Objection: relevance, cumulative
14	11. 110:10-14	<b>110:10</b> Caballero? <b>11</b> A. I can't remember who asked me. <b>12</b> Q. Was it Joshua Buck? <b>13</b> A. I don't remember who asked me. <b>14</b> Q. How many times were you communicated with at	Objection: relevance
19	12. 111:21- 112:2	<b>111:21</b> Q. Okay. Did anybody ever communicate with you <b>22</b> about not wearing your bump cap or your hard hat when <b>23</b> you were at Tesla? <b>24</b> A. I was communicated to put on a hard hat because <b>25</b> the way I had my bump cap, I guess, was not sufficient. <b>112:1</b> Q. And who communicated with you about that? <b>2</b> A. Javier.	Objection: relevance
26	13. 119:18-21	<b>119:18</b> Q. Why didn't you get along with Javier prior to <b>19</b> this incident? <b>20</b> A. Javier was harassing me and calling me a nigger <b>21</b> every day; so, no, I didn't get along with him.	

1	14.	120:17-18	<b>120:17</b> Q. Did your shift lead ever call you the N-word? <b>18</b> A. No.	Objection: relevance and confusing 403
2				
3	15.	125:5-16	<b>125:5</b> Q. See where it says "9/10/15, He wasn't wearing <b>6</b> his safety glasses while operating in Zone 1 during <b>7</b> production." <b>8</b> You do remember that; right? <b>9</b> A. Yes. <b>10</b> Q. 9/11/15. It says here "Advised two times to <b>11</b> wear his hard hat." <b>12</b> Do you see that? <b>13</b> A. Uh-huh. <b>14</b> Q. Do you remember Javier telling you to wear your <b>15</b> hard hat not once but twice? <b>16</b> A. No.	Objection: relevance and confusing 403
4				
5				
6				
7				
8				
9				
10				
11				
12				
13	16.	129:130:7	<b>130:1</b> Q. Is that the only time you were late? <b>2</b> A. Yes. <b>3</b> Q. Even a minute? <b>4</b> A. That's the only time I was late. <b>5</b> Q. Did anybody ever talk to you about forgetting to <b>6</b> put the adhesive on the IB crossmember end cap? <b>7</b> A. Not that I can recall.	Objection: relevance
14				
15				
16				
17				
18				
19	17.	131:17-25	<b>131:17</b> Q. Do you remember someone talking to you about <b>18</b> staying off your cell phone during production hours? <b>19</b> A. No. <b>20</b> Q. Nobody ever talked to you about that? <b>21</b> A. I don't remember being talked to to stay off my <b>22</b> cell phone. <b>23</b> Q. Did anybody ever tell you not to be on your cell <b>24</b> phone during production? <b>25</b> A. No.	Objection: relevance
20				
21				
22				
23				
24				
25				
26				
27				
28	18.	137:11-17	<b>137:11</b> Q. And on 9/22 you didn't wear your ear plugs <b>12</b> during production? <b>13</b> A. I don't recall. <b>14</b> Q. And on 9/29 you didn't wear	Objection: relevance

		your safety glasses <b>15</b> at SOP? <b>16</b> A. I don't recall. And can you clarify what SOP <b>17</b> is?	
19.	139:7-9	<b>139:7</b> Q. Were you ever coached about not wearing your <b>8</b> safety glasses? <b>9</b> A. No.	Objection: relevance
20.	140:3-14	<b>140:3</b> Q. Do you remember not wearing your ear plugs on <b>4</b> 10/1? <b>5</b> A. No. <b>6</b> Q. Do you remember receiving a verbal warning from <b>7</b> Javier at any time? <b>8</b> A. No. <b>9</b> Q. Do you remember receiving a written warning at <b>10</b> any time? <b>11</b> A. No. Not that I can recall. <b>12</b> Q. On October 6th do you remember not wearing ear <b>13</b> plugs during your production? <b>14</b> A. No.	Objection: relevance
21.	142:19-21	<b>142:19</b> Q. On October 19th, do you recall having -- showed <b>20</b> up late to work without a bump cap? <b>21</b> A. No.	Objection: relevance
22.	145:18-23	<b>145:18</b> Q. Did you ever apply for another job through West <b>19</b> Valley? <b>20</b> A. I attempted to. I called my staffing -- my <b>21</b> staffing rep. He told me that he would look into it and <b>22</b> never ever got back to me. He just stopped answering my <b>23</b> phone calls, stopped returning my calls.	Objection: relevance
23.	146:21-23	<b>146:21</b> Q. Do you have any idea why your assignment with <b>22</b> West Valley at Tesla ended? <b>23</b> A. No, I don't.	Objection: relevance
24.	150:15-	<b>150:15</b> Q. In paragraph 14 you state "In approximately <b>16</b> August of 2015, Demetric's father,	

1	151:20	Owen, informed him	
2		17 West Valley had openings for	
3		positions at the Tesla	
4		18 factory."	
5		19 Did your father tell you that West	
6		Valley had	
7		20 openings?	
8		21 A. Yes.	
9		22 Q. Did your father encourage you	
10		to apply?	
11		23 A. Yes.	
12		24 Q. What did your father tell you	
13		about what it was	
14		25 like to work at Tesla?	
15		151:1 A. He told me it was going to	
16		be a good experience	
17		2 and that it would be -- like, it	
18		would be good. I	
19		3 bought into it because I thought it	
20		was going to be the	
21		4 ultimate experience. Like, oh, I get	
22		to work for Tesla.	
23		5 They're making modern	
24		productions to build electrical	
25		6 cars to make the world a better	
26		place. Like, why	
27		7 wouldn't I want to be a part of that?	
28		8 Q. Your father told you it was	
		going to be a good	
		9 experience to work at Tesla?	
		10 A. Yeah. He told me it would be a	
		good experience	
		11 and it was going to be good for	
		me.	
		12 Q. And that was right before you	
		applied in August	
		13 of 2015?	
		14 A. Yes.	
		15 Q. Did your father tell you around	
		the time you	
		16 applied in August 2015 anything	
		about what his work	
		17 experience was like at Tesla?	
		18 A. When I was applying there, he	
		said that his work	
		19 experience was going okay. From	
		what I could tell, it	
		20 was going good.	



1	25.	153:6-8; 22-24	<p><b>153:6</b> Did you ever see this drawing while you were</p> <p><b>7</b> working at Tesla?</p> <p><b>8</b> A. No.</p> <p><b>22</b> Q. You ever see any drawings like this while you</p> <p><b>23</b> were working at Tesla?</p> <p><b>24</b> A. No, I didn't see drawings like this.</p>	
2	26.	153:24- 155:18	<p><b>153:24</b> A. No, I didn't see drawings like this.</p> <p><b>25</b> Q. Did you ever see any offensive graffiti while</p> <p><b>154:1</b> you were working at Tesla?</p> <p><b>2</b> A. Yes.</p> <p><b>3</b> Q. What did you see?</p> <p><b>4</b> A. "Fuck you, nigger" all in the bathroom stall.</p> <p><b>5</b> "You all don't belong here. You niggers don't belong</p> <p><b>6</b> here." Stuff like that.</p> <p><b>7</b> Q. Anything else that you saw that was offensive</p> <p><b>8</b> graffiti while you were working at Tesla?</p> <p><b>9</b> A. No.</p> <p><b>10</b> Q. Did you report it to anyone when you saw the</p> <p><b>11</b> words, "Fuck you, nigger" in the bathroom stall?</p> <p><b>12</b> A. No.</p> <p><b>13</b> Q. Did you report it to anyone when you saw "You</p> <p><b>14</b> niggers don't belong here" in the bathroom stall?</p> <p><b>15</b> A. No.</p> <p><b>16</b> Q. Why not?</p> <p><b>17</b> A. I didn't know who to report it to. I just</p> <p><b>18</b> stopped going to that bathroom.</p> <p><b>19</b> Q. Where was that bathroom?</p> <p><b>20</b> A. If I'm not mistaken, it was in the center of the</p> <p><b>21</b> production floor.</p> <p><b>22</b> (Reporter clarification.)</p> <p><b>23</b> THE WITNESS: I just wanted to have one with</p> <p><b>24</b> more bathrooms in the facility.</p>	Objection: vague and ambiguous

1		25 Q. And were both of these	
2		statements written in the	
3		155:1 bathroom stall?	
4		2 A. Yes.	
5		3 Q. At some point did you notice	
6		that these -- that	
7		4 this graffiti was removed from the	
8		bathroom stall?	
9		5 A. I told you I stopped going in that	
10		bathroom.	
11		6 Q. So you don't know whether it	
12		was ever removed?	
13		7 A. No.	
14		8 Q. Turning your attention back to	
15		Exhibit 33. Have	
16		9 you ever discussed this with your	
17		father?	
18		10 A. Yes.	
19		11 Q. What did you discuss?	
20		12 A. Just, who would do stuff like	
21		this? Like, why	
22		13 are they even trying to do stuff	
23		like this? My father	
24		14 was just more, like, he didn't	
25		really understand it. He	
26		15 knew that it was a racial effigy.	
27		He was just, like, "I	
28		16 don't understand why they would	
		do it." It was, like,	
		17 from what I was told, they thought	
		it was a joke. I	
		18 don't see that as a joke.	
27.	159:24- 160:14	159:24 Q. And who stated this phrase? 25 A. Javier. I think his last name is Caballero. 160:1 You said his name. 2 Q. Javier Caballero said this, quote, "All you 3 fucking niggers -- I can't stand you motherfuckers"? 4 A. Yes. 5 Q. And in paragraph 19 you say that it was your 6 shift lead? 7 A. It's my shift supervisor. 8 Q. So it wasn't your shift lead? 9 A. No. That's probably a mistake.	

		<p><b>10</b> Q. Where was this statement said?</p> <p><b>11</b> A. Right on the production floor.</p> <p><b>12</b> Q. Where on the production floor?</p> <p><b>13</b> A. Within zone 1 and getting ready to walk out of</p> <p><b>14</b> our section.</p>	
28.	161:9-11	<p><b>161:9</b> Q. Is this the only time that this statement was</p> <p><b>10</b> made?</p> <p><b>11</b> A. That statement, yes.</p>	
29.	165:24- 166:19	<p><b>165:24</b> Q. Do you know whether your father heard it?</p> <p><b>25</b> A. My father told me that he did hear it, and</p> <p><b>166:1</b> that's the first time I seen my father, like, really</p> <p><b>2</b> feel like he couldn't do anything for me. Like, he</p> <p><b>3</b> didn't know what to do.</p> <p><b>4</b> Q. Were you offended by the use of the word?</p> <p><b>5</b> A. Yes.</p> <p><b>6</b> Q. Have you ever used the word?</p> <p><b>7</b> A. Yes.</p> <p><b>8</b> Q. How many times?</p> <p><b>9</b> MR. ORGAN: In his life?</p> <p><b>10</b> MS. ANTONUCCI: If you can remember.</p> <p><b>11</b> THE WITNESS: I don't know.</p> <p><b>12</b> BY MS. ANTONUCCI:</p> <p><b>13</b> Q. Do you use it regularly?</p> <p><b>14</b> A. No.</p> <p><b>15</b> Q. Do you use it frequently?</p> <p><b>16</b> A. No.</p> <p><b>17</b> Q. In what context have you used it?</p> <p><b>18</b> A. I more use it as a term of endearment, not a</p> <p><b>19</b> hateful way.</p>	Objection: relevance as to 166:6-19
30.	167:11-12	<p><b>167:11</b> Q. Have you ever used the N-word at Tesla?</p> <p><b>12</b> A. No.</p>	Objection: relevance
31.	169:13-24	<p><b>169:13</b> Q. But it's okay for an African-American to use the</p> <p><b>14</b> N-word?</p> <p><b>15</b> A. Yes.</p> <p><b>16</b> Q. Do you think it's okay for someone who's not</p>	Objection: relevance

1		17 African-American to use the N-	
2		word as a term of	
3		18 endearment or affection?	
4		19 A. It's not okay, no matter which	
5		way you use it.	
6		20 It's not okay. It's not okay if	
7		you're not black to use	
8		21 that word.	
9		22 Q. Other than Javier, nobody else	
10		used that word at	
11		23 Tesla; is that right?	
12		24 A. From what I know.	
13	32. 170:20-	170:20 Q. Tell me the first time you	
14	171:9	heard Javier use the	
15		21 word?	
16		22 A. The first time I heard Javier	
17		use the word, it	
18		23 was probably about two to three	
19		days after I started	
20		24 working the night shift.	
21		25 Q. And what did he say?	
22		171:1 A. We were getting ready to	
23		go on our meal break.	
24		2 We were running a little behind. He	
25		was, like, "All you	
26		3 niggers need to hurry the fuck up."	
27		4 Q. Did you say anything back to	
28		him at the point?	
		5 A. No. The first time it ever	
		happened I was kind	
		6 of stuck, like, "What?" I really	
		didn't know what to	
		7 do.	
		8 Q. Was anyone else there?	
		9 A. My team.	
	33. 177:16-	177:16 Q. And what did you say to	Objection: relevance as to 177:22-
	178:11	Javier?	178:11
		17 A. Just told him how he was	
		treating me was unfair	
		18 and unjust. I didn't like it. And he	
		told me, if I	
		19 didn't like it, my time would be	
		ending shortly. I end	
		20 up getting wrote up. Within a few	
		weeks later, I lost	
		21 my job. They told me that my	
		contract was ended.	
		22 Q. In paragraph 24, you allege	

1		that you had a good	
2		<b>23</b> performance record prior to this	
3		written warning; is	
4		<b>24</b> that correct?	
5		<b>25</b> A. Yes.	
6		<b>178:1</b> Q. Are you aware that you had	
7		received nine prior	
8		<b>2</b> warnings by this time?	
9		<b>3</b> A. No, I was not aware.	
10		<b>4</b> Q. Do you contend that you had	
11		received no prior	
12		<b>5</b> warnings by this time?	
13		<b>6</b> A. I was never made aware that I	
14		had any	
15		<b>7</b> performance issues.	
16		<b>8</b> Q. You were never counseled at	
17		any time prior to	
18		<b>9</b> having used your phone on the	
19		production line?	
20		<b>10</b> A. I was never made aware that I	
21		had any	
22		<b>11</b> performance issues.	
23	34. 185:24-	<b>185:24</b> Q. So you mentioned that the	
24	187:11	first time that you	
25		<b>25</b> heard Javier say the N-word was	
26		two or three days after	
27		<b>186:1</b> working the night shift. He	
28		said, "All you N-words need	
		<b>2</b> to hurry the F up"?	
		<b>3</b> A. Yes.	
		<b>4</b> Q. Right. What was the second	
		time you heard it?	
		<b>5</b> A. The second time I heard it was	
		pretty much the	
		<b>6</b> day after that. It was in the same	
		regards, telling us	
		<b>7</b> to hurry up.	
		<b>8</b> Q. And that was Javier?	
		<b>9</b> A. Yes.	
		<b>10</b> Q. And who was present?	
		<b>11</b> A. Same people.	
		<b>12</b> Q. Was it directed to your whole	
		team?	
		<b>13</b> A. Yeah, I assume.	
		<b>14</b> Q. Same people, meaning the six	
		people on your	
		<b>15</b> team?	
		<b>16</b> A. Yes.	

1		<b>17</b> Q. When was the next time you heard Javier use the	
2		<b>18</b> N-word?	
3		<b>19</b> A. The next time I heard it -- it just continued to	
4		<b>20</b> spiral after that. He just kept going. It didn't stop.	
5		<b>21</b> I told him I didn't like it. And then from there it was	
6		<b>22</b> more I could be fired since I didn't like it.	
7		<b>23</b> Q. So when was the next time you heard it?	
8		<b>24</b> A. The day after the next day.	
9		<b>25</b> Q. And what did he say then?	
10		<b>187:1</b> A. He used the same reference again, "All you	
11		<b>2</b> niggers need to hurry the fuck up." After that he was,	
12		<b>3</b> like -- like, just kept going. Just escalating there.	
13		<b>4</b> Q. So you testified that you heard him use the	
14		<b>5</b> phrase "All you niggers need to hurry the fuck up." And	
15		<b>6</b> then you also testified that at one point he said, "All	
16		<b>7</b> you fucking niggers -- I can't stand your mother- -- you	
17		<b>8</b> motherfuckers"?	
18		<b>9</b> A. Yeah.	
19		<b>10</b> Q. Did he ever use the N-word in any other context?	
20		<b>11</b> A. No.	
21			
22	35. 190:3-17	<b>190:3</b> Q. Okay. Turn to paragraph 26. You said here that	Objection: relevance
23		<b>4</b> you believe you were terminated because you objected to	
24		<b>5</b> the racial harassment and discrimination in paragraph	
25		<b>6</b> 26.	
26		<b>7</b> Do you see that?	
27		<b>8</b> A. Yes.	
28		<b>9</b> Q. Why do you believe that?	
		<b>10</b> A. Because, after I asked him to, "Hey, stop doing	
		<b>11</b> this and can you please stop doing that?" His resolve	

		<p><b>12</b> was, "If you don't like it, you can be fired." And he</p> <p><b>13</b> made sure I got fired.</p> <p><b>14</b> Q. Any other reasons?</p> <p><b>15</b> A. That's really it. Every time I complained, he</p> <p><b>16</b> made sure to let me know, if I didn't like it, I could</p> <p><b>17</b> go.</p>	
36.	193:8-24	<p><b>193:8</b> Q. Do you know why it is that you're -- that you</p> <p><b>9</b> were terminated?</p> <p><b>10</b> A. No.</p> <p><b>11</b> Q. Do you know why you were issued a written</p> <p><b>12</b> warning?</p> <p><b>13</b> A. No.</p> <p><b>14</b> Q. If you were to estimate how many times Javier</p> <p><b>15</b> Caballero used the N-word at Tesla, how many?</p> <p><b>16</b> A. I would say more than 50.</p> <p><b>17</b> (Reporter clarification.)</p> <p><b>18</b> THE WITNESS: More than 50 but less than 60. So</p> <p><b>19</b> in between there. I didn't work with him -- I just got</p> <p><b>20</b> let go.</p> <p><b>21</b> Q. Are you alleging that every single day you</p> <p><b>22</b> worked at Tesla Javier used the N-word?</p> <p><b>23</b> A. Pretty much every day after the third day that I</p> <p><b>24</b> got there he used the N-word.</p>	Objection: relevance as to 193:8-13
37.	194:12-19	<p><b>194:12</b> Q. Yeah. Can you tell me everybody that you</p> <p><b>13</b> believe subjected you to racial harassment while you</p> <p><b>14</b> were working at Tesla?</p> <p><b>15</b> MR. ORGAN: Same objection.</p> <p><b>16</b> THE WITNESS: I would say Javier, his</p> <p><b>17</b> supervisor, HR department, West Valley Staffing Group,</p> <p><b>18</b> and their on-site team -- everybody that I told that</p> <p><b>19</b> just did nothing about it.</p>	Objection: legal conclusion, relevance

1	38.	201:6-	<b>201:6</b> Q. Are you alleging that Tesla	Objection: relevance
2		202:19	inflicted emotional	
3			<b>7</b> distress onto you?	
4			<b>8</b> MR. ORGAN: Objection to the	
5			extent it calls for	
6			<b>9</b> a legal conclusion. You can	
7			answer.	
8			<b>10</b> THE WITNESS: Yes.	
9			<b>11</b> BY MS. ANTONUCCI:	
10			<b>12</b> Q. How?	
11			<b>13</b> A. The emotional distress that I	
12			suffered is I feel	
13			<b>14</b> like I lost myself. I didn't know	
14			what to do. I was	
15			<b>15</b> subjected every day to be	
16			dehumanized and put forth like	
17			<b>16</b> I was less than a man and I was	
18			less than anybody else	
19			<b>17</b> in that factory. And for somebody	
20			to really not care to	
21			<b>18</b> feel 'cause they have power that,	
22			"Oh, well, I can do	
23			<b>19</b> this. It's okay, and if you don't like	
24			it, just because	
25			<b>20</b> you're temporary staff, you can	
26			get fired." Like, you	
27			<b>21</b> have no authority. You're just --	
28			because you're a	
			<b>22</b> temp, like, then why ever bring	
			me in if that's how you	
			<b>23</b> guys feel?	
			<b>24</b> Q. And you contend that you	
			suffered emotional	
			<b>25</b> distress.	
			<b>202:1</b> A. Yes.	
			<b>2</b> Q. As a result of the conduct of	
			Tesla or West	
			<b>3</b> Valley?	
			<b>4</b> A. The result of both, of nobody	
			doing nothing.	
			<b>5</b> Q. What kind of emotional distress	
			did you suffer?	
			<b>6</b> MR. ORGAN: Objection. Vague	
			and ambiguous.	
			<b>7</b> THE WITNESS: Can you restate	
			the question?	
			<b>8</b> BY MS. ANTONUCCI:	
			<b>9</b> Q. Yeah. What kind of emotional	



1		distress did you	
2		<b>10</b> suffer?	
3		<b>11</b> MR. ORGAN: Objection. Vague	
4		and ambiguous.	
5		<b>12</b> THE WITNESS: The emotional	
6		distress that I	
7		<b>13</b> suffered was lack of eating, lack	
8		of wanting to be	
9		<b>14</b> around my peers and my family	
10		members, the lack of me	
11		<b>15</b> just really knowing who I was. I	
12		really didn't know	
13		<b>16</b> why -- why I fit -- fit in in this	
14		world, and at this	
15		<b>17</b> day and age, there could still be	
16		racism. Or if this	
17		<b>18</b> so-called million-dollar business	
18		can still have racism	
19		<b>19</b> and nobody cares.	
20	39. 217:8-21	<b>217:8</b> Q. Why did you leave the iron	Objection: relevance
21		workers union?	
22		<b>9</b> A. I left the iron workers union to	
23		pursue a	
24		<b>10</b> different career.	
25		<b>11</b> Q. What career?	
26		<b>12</b> A. I'm getting ready to start my	
27		sociology classes.	
28		<b>13</b> Q. So you left voluntarily?	
		<b>14</b> A. Yes.	
		<b>15</b> Q. Did you have any performance	
		issues when you	
		<b>16</b> were there?	
		<b>17</b> A. No.	
		<b>18</b> Q. Where are you starting your	
		degree in sociology?	
		<b>19</b> A. LMC.	
		<b>20</b> Q. Say that again.	
		<b>21</b> A. LMC, Los Medanos	
		Community College in Pittsburg.	
	40. 218:6-20	<b>218:6</b> Q. Will you be taking a full	Objection: relevance
		course load at LMC?	
		<b>7</b> A. Yes.	
		<b>8</b> Q. How many credits is that?	
		<b>9</b> A. It's going to be about 13 units.	
		<b>10</b> Q. And when does your course	
		load at LMC begin?	
		<b>11</b> A. I'm going to go for summer.	
		I'm going to take	

12 two of my classes. It starts June, I  
 want to say, 24th  
 13 or -- I just have to check my  
 calender again. And then  
 14 I'll be going for the full duration  
 during the fall  
 15 semester for the rest of my units.  
 16 Q. And what prompted you to  
 pursue a career in  
 17 sociology?  
 18 A. Even as a kid I always wanted  
 to study  
 19 sociology. So just now with me,  
 kind of, having the  
 20 opportunity, I'm taking it to go to  
 school.

CALIFORNIA CIVIL RIGHTS LAW GROUP  
 ALEXANDER MORRISON + FEHR LLP

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By: /s/ Lawrence A. Organ  
 Lawrence A. Organ, Esq.  
 Navruz Organ, Esq.  
 Cimone A. Nunley, Esq.  
 J. Bernard Alexander, Esq.  
 Attorneys for Plaintiffs  
 DEMETRIC DI-AZ AND OWEN DIAZ